2005 31 MAR 2005

## TRANSMITTAL LETTER TO THE UNITED STATES **DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

4590-506

U.S. APPEICATION NO. (if known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.

PCT/EP2004/052368

INTERNATIONAL FILING DATE

**September 30, 2004** 

PRIORITY DATE CLAIMED

**October 3, 2003** 

TITLE OF INVENTION

## **GENERATION OF AGITATION NOISE ACCORDING TO A PREDETERMINED HISTOGRAM**

APPLICANT(S) FOR DO/EO/US

## lean-Michal HODE

Je	311-1									
Appl	icant	herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:								
1.	$\boxtimes$	This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.								
2.		This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.								
3.		This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) as indicated below.								
4.	$\boxtimes$	The US has been elected (Article 31).								
5.	$\boxtimes$	A copy of the International Application as filed (35 U.S.C. 371(c)(2))								
		a.  is transmitted hereto (required only if not communicated by the International Bureau).								
		b. 🛛 has been communicated by the International Bureau.								
		c.  is not required, as the application was filed in the United States Receiving Office (RO/US)								
6.	$\boxtimes$	An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).								
		a. 🖾 is attached hereto.								
		b.  has been previously submitted under 35 U.S.C. 154(d)(4).								
7.	$\boxtimes$	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))								
		a. are attached hereto (required only if not communicated by the International Bureau).								
		b. 🛛 have been communicated by the International Bureau.								
		c. have not been made; however, the time limit for making such amendment has NOT expired.								
		d. have not been made and will not be made.								
8.		An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).								
9.	$\boxtimes$	An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).								
10.		An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).								
		to 20 below concern document(s) or information included:								
	⊠	An Information Disclosure Statement under 37 CFR 1.97 and 1.98.								
12.		An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.								
13.	_	A preliminary amendment.								
14.		An Application Data Sheet under CFR 1.76								
		A substitute specification.								
16.	_	A power of attorney and/or change of address letter.								
17.	_	A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821–1.825								
18.	_	A second copy of the published international application under 35 U.S.C. 154(d)(4)								
19.		A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4)								
20.	<b>⊠</b>	Other items or information: International Search Report; PCT/IB/304; PCT/IB/308;								

U.S. APPLICATION NO. (if known, sets 37 CFR 1.5) PCT/EP2004/052368  ATTORNEY'S DOCKET NUMBER 4590-506		1AV/A							2006		
The following fees are submitted:  21. © Basic national fee (37 CFR 1.492(a))  If the written opinion prepared by USRUS or the international preliminary examination neport pregared by A3 other shaultons.  22. © Examination fee (37 CFR 1.492(b))  If the written opinion prepared by USRUS or the international preliminary examination report pregared by A3 other shaultons.  22. © Search fee (37 CFR 1.492(b))  If the written opinion of the ISRUS or the international preliminary examination report prepared by PERUS indicates all claims satisfy provisions of PCT Article 33(1)(4)	U.S. APPLICATIO	ATTORN	TORNEY'S DOCKET NUMBER								
22   Examination fee (37 CFR 1.492(c))   If the written opinion prepared by USI/LS or the international preliminary examination export prepared by IFEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4),						<u></u>	CAL	CULATIONS	PTO USE ONLY		
If the written opinion prepared by USI/US or the international preliminary examination report prepared by IPEA/US indicates as claims eathly provisions of PCT Anticlo 33(1):(4)	,21. 🛭 Basic nati	\$	300.00								
PEAUS indicates all claims eatility provisions of PCT Article 33(1)-(4)	22. 🛭 Examinati			}							
If the written opinion of the ISA/US or the International preliminary examination report prepared by PEA/US indicates all claims satisty provisions of PCT Article 39(1)(4)\$0  Search ties (37 CFR 1.445(2)(2)) has been paid on the international application to the USPTO as an advantage of the CPF	IPEA/US	indicates all claims sa	\$	200.00							
PEAUS indicates all claims satisfy provisions of PCT Article 33(1)+(4)	23. Search fe	e (37 CFR 1.492(b))									
Additional fee for specification and drawings filed in pager over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.821(c) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.821(c)) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.821(c)) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.821(c)) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.821(c)) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.821(c)) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.821(c)) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.821(c)) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.821(c)) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.22 or computer program listing filed in an electronic medium) (37 CFR 1.22 or computer program listing filed in an electronic medium) (37 CFR 1.22 or computer program listing filed in an electronic medium) (37 CFR 1.22 or computer program listing filed in an electronic medium) (37 CFR 1.22 or computer program listing filed in an electronic medium (37 CFR 1.22 or computer medium) (37 CFR 1.22 or computer mediu	IPEA/US Search fee (37 Cl Internatio International Searc communic	indicates all claims: FR 1.445(a)(2)) has onal Search Authority th Report prepared by cated to the US by the	n \$	400.00							
listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.492(ii)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof (round up to a whole number)  - 100 =   750 =   750 =   × \$250.00   \$  Surcharge of \$130.00 for furnishing the cath or declaration later than 30 months from the earliest claimed priority date (g7 CFR 1.492(e)).  CLAIMS   NUMBER FILED   NUMBER EXTRA   RATE    Total Claims   17	TOTA	\$	\$900.00								
Count up to a whole number    Count up to a whole number    S   S250.00   S   Surcharge of \$130.00 for furnishing the cath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).   S   S   S   S   S   S   S   S   S	listing in electronic										
Surcharge of \$130.00 for furnishing the cath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).  CLAIMS NUMBER FILED NUMBER EXTRA RATE  Total Claims 17 -20 = 0 0 × \$50.00 \$  Independent Claims 1 - 3 = 0 0 × \$200.00 \$  MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360.00 \$  MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360.00 \$  TOTAL OF ABOVE CALCULATIONS = \$ 0.00  Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½. \$ 0.00  Processing fee of \$130.00 for furnishing the English translation later than the 30 subtrottal = \$ 0.00  Processing fee of \$130.00 for furnishing the English translation later than the 30 subtrottal = \$ 0.00  Processing fee of \$130.00 for furnishing the English translation later than the 30 subtrottal = \$ 0.00  Processing fee of \$130.00 for furnishing the English translation later than the 30 subtrottal = \$ 0.00  Processing fee of \$130.00 for furnishing the English translation later than the 30 subtrottal = \$ 0.00  TOTAL NATIONAL FEE = \$ 900.00  Processing fee of \$130.00 for furnishing the English translation later than the 30 subtrottal = \$ 0.00 subtrottal =	Total Sheets	Extra sheets				RATE					
Total Claims  Total National Fee = \$ 900.00  Total Fees or recording the enclosed assignment (3/7 CFR 1.21(h)). The assignment must be accompanied by + \$ 0.00  Total Fees ENCLOSED = \$ 900.00  Total Fees Enclosed.  Declaims  Total Claims  Total National Fees + \$ 0.00  Total Fees Enclosed.  Total Claims  Total National Fees + \$ 0.00  Total Fees Enclosed.  Total Fees Enclosed.  Total National Fees + \$ 0.00  Total Fees Enclosed.  Total National Fees + \$ 0.00  Total Fees Enclosed.  Total National Fees + \$ 0.00  Total Fees Enclosed.  Total National Fees + \$ 0.00  Total Fees Enclosed.  Total Fees Enclosed.  Total Fees Enclosed.  Total Fees Encl	- 100 =	/50 =				× \$250.0	0 \$				
Total Claims 17 -20 = 0 × \$ 50.00 \$  Independent Claims 1 - 3 = 0 × \$200.00 \$  MULTIPLE DEPENDENT CLAIM(S) (if applicable) +\$360.00 \$  TOTAL OF ABOVE CALCULATIONS = \$ 0.00  Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½. \$ 0.00  Processing fee of \$130.00 for furnishing the English translation later than the 30 SUBTOTAL = \$ 0.00  Processing fee of \$130.00 for furnishing the English translation later than the 30 SUBTOTAL = \$ 0.00  Processing fee of \$130.00 for furnishing the English translation later than the 30 SUBTOTAL = \$ 0.00  Processing fee of \$130.00 for furnishing the English translation later than the 30 SUBTOTAL = \$ 0.00  Processing fee of \$130.00 for furnishing the English translation later than the 30 SUBTOTAL = \$ 0.00  TOTAL NATIONAL FEE = \$ 900.00  TOTAL NATIONAL FEE = \$ 900.00  TOTAL FEES ENCLOSED = \$ 900.00  Amount to be refunded:  Amount to be charged  TOTAL FEES ENCLOSED = \$ 900.00  Amount to be charged  Amount to be charged  Amount to be charged to a charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 97-1337. A duplicate copy of this sheet is enclosed.  D. Please charge my Deposit Account No. 07-1337 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.  D. Please or to be charged to a credit card information on this form may become public. Credit card information should not be included on this form. Provide credit card information on this form may become public. Credit card information should not be included on this form. Provide credit card information on this form may become public. Credit card information to the pending status. Kindly use the altomary address associated with the following Customer Number for future correspondence.  SEND ALL CORRESPONDENCE TO:  LOWE HAUPTMAN & BERNER, LLP 1700 Diagonal Road, Suite 300  Alexandria, VA 22314  (703) 684-1111											
Independent Claims 1 - 3 = 0 x \$200.00 \$  MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360.00 \$  TOTAL OF ABOVE CALCULATIONS = \$ 0.00  Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½. \$ 0.00  Processing fee of \$130.00 for furnishing the English translation later than the 30 south in the earliest claimed priority date (37 CFR 1.492(f)).  TOTAL NATIONAL FEE = \$ 900.00  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  TOTAL FEES ENCLOSED = \$ 900.00  Amount to be refunded:  Amount to be charged  Amount to be charged  Amount to be charged  C. A check in the amount of \$ 0.00 to cover the above fees is enclosed.  D. Please charge my Deposit Account No. 07-1337 in the amount of \$ 10 to cover the above fees. A duplicate copy of this sheet is enclosed.  C. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1337. A duplicate copy of this sheet is enclosed.  D. Pees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information not be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under, 37 CFR 1.485 has not been met, a petition to review (37 CFR 1.117(a) or (b)) must be filed and granted to restore the application to pending status. Kindly use the attempts address associated with the following Customer Number for future correspondence.  SEND ALL CORRESPONDENCE TO:  LOWE HAUPTMAN & BERNER, LLP 1700 Diagonal Road, Suite 300  Alexandria, VA 22314  (703) 684-1111  ACCOUNT ARCH ASSOCIATION STATE AS	CLAIMS								<u> </u>		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)  TOTAL OF ABOVE CALCULATIONS = \$ 0.00  Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½. \$ 0.00  SUBTOTAL = \$ 0.00  Processing fee of \$130.00 for furnishing the English translation later than the 30	Total Claims	1	17	- 20 =	0	× \$ 50.0	0 \$				
TOTAL OF ABOVE CALCULATIONS = \$ 0.00  Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½. \$ 0.00  SUBTOTAL = \$ 0.00  Processing fee of \$130.00 for furnishing the English translation later than the 30 months from the earliest claimed priority date (37 CFR 1.492(f)).    TOTAL NATIONAL FEE = \$ 900.00  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property    TOTAL FEES ENCLOSED = \$ 900.00  Amount to be refunded:  Amount to be refunded:  Amount to be charged  Amount to be charged  TOTAL FEES ENCLOSED = \$ 900.00  Amount to be charged  Account No. 07-1337. A duplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1337. A duplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to charge any additional fees which may be come public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.37(e) or (b)) must be filed and granted to restore the application to pending status. Kindly use the attorneys' address associated with the following Customer Number for future correspondence.  SEND ALL CORRESPONDENCE TO:  LOWE HAUPTMAN & BERNER, LLP 1700 Diagonal Road, Suite 300  Alexandria, VA 22314  (703) 684-1111  REPAIR TRADEMARK OFFICE  SIGNATURE  Kenneth M. Berner  NO. 33308  PATENT TRADEMARK OFFICE  37,093	Independent Clai	ims	1	- 3=	0	× \$200.0	0 \$				
Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.  SUBTOTAL = \$ 0.00  Processing fee of \$130.00 for furnishing the English translation later than the 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  TOTAL NATIONAL FEE = \$ 900.00  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	MULTIPLE DEPE	NDENT CLAIM(S) (if	applicable)			+ \$360.0	0 \$				
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months from the earliest claimed priority date (37 CFR 1.492(f)).  TOTAL NATIONAL FEE = \$ 900.00  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  TOTAL FEES ENCLOSED = \$ 900.00  Amount to be refunded:  Amount to be charged  a.  A check in the amount of \$	Processing fee of	\$130.00 for furnishing	the English tra	nslation late		SUBTOTAL	Ť				
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Amount to be refunded:  Amount to be charged  a. A check in the amount of \$	an appropriate cov	ver sheet (37 CFR 3.2	28, 3.31). <b>\$40.</b> 0	00 per prope		ENCLOSED					
a. ☐ A check in the amount of \$					TOTALTELO	LITOLOGED	Am	ount to be			
b. Please charge my Deposit Account No. 07-1337 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.  c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1337. A duplicate copy of this sheet is enclosed.  d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time timit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. Kindly use the attorneys' address associated with the following Customer Number for future correspondence.  SEND ALL CORRESPONDENCE TO:  LOWE HAUPTMAN & BERNER, LLP 1700 Diagonal Road, Suite 300  Alexandria, VA 22314  (703) 684-1111  Customer  No. 33308  PATENT TRADEMARK OFFICE  Kenneth M. Berner  NAME  37,093			Am	Amount to be							
enclosed.  c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1337. A duplicate copy of this sheet is enclosed.  d.  Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filled and granted to restore the application to pending status. Kindly use the attorneys' address associated with the following Customer Number for future correspondence.  SEND ALL CORRESPONDENCE TO:  LOWE HAUPTMAN & BERNER, LLP 1700 Diagonal Road, Suite 300  Alexandria, VA 22314  (703) 684-1111  Customer  No. 33308  PATENT TRADEMARK OFFICE  Kenneth M. Berner  NAME 37,093	a. A check	in the amount of \$	.00 to c	over the abo	ove fees is enclosed.						
Account No. 07-1337. A duplicate copy of this sheet is enclosed.  d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. Kindly use the attorneys' address associated with the following Customer Number for future correspondence.  SEND ALL CORRESPONDENCE TO:  LOWE HAUPTMAN & BERNER, LLP 1700 Diagonal Road, Suite 300  Alexandria, VA 22314  (703) 684-1111  Customer  No. 33308  PATENT TRADEMARK OFFICE  SIGNATURE  Kenneth M. Berner  NAME 37,093			ccount No. <u>07-</u>	<u>1337</u> in the	amount of \$ to cove	er the above	fees. A	duplicate copy of	of this sheet is		
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SEND ALL CORRESPONDENCE TO:  LOWE HAUPTMAN & BERNER, LLP 1700 Diagonal Road, Suite 300 Alexandria, VA 22314 (703) 684-1111  Customer No. 33308 PATENT TRADEMARK OFFICE  SIGNATURE Kenneth M. Berner NAME 37,093	not be i	ncluded on this forr	n. Provide cred	dit card info	rmation and authorization of	on PTO-203	8.				
LOWE HAUPTMAN & BERNER, LLP 1700 Diagonal Road, Suite 300 Alexandria, VA 22314 (703) 684-1111  Customer No. 33308 PATENT TRADEMARK OFFICE NAME 37,093				t been met, a the following	petition to revive (37 CFR 1.137(; Customer Number for future co	a) or (b)) must orrespondence 					
1700 Diagonal Road, Suite 300 Alexandria, VA 22314 (703) 684-1111  Customer No. 33308 PATENT TRADEMARK OFFICE  SIGNATURE Kenneth M. Berner NAME 37,093		Ben	Jenneth My Berner								
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